



Federal Communications Commission  
Washington, D.C. 20554

DA 08-2712

December 16, 2008

Jose L. Rodriguez  
Hispanic Information and Telecommunications Network, Inc.  
63 Flushing Avenue, Unit 281  
Brooklyn, NY 11205

Re: Call Sign E080238  
File No. SES-LIC-20081125-01517

Dear Mr. Rodriguez:

On November 25, 2008, Hispanic Information and Telecommunications Network, Inc. (Hispanic) filed an application for a license to operate a new transmit and receive earth station CSAT<sup>1</sup> system in Brooklyn, NY. For the reasons discussed below, we dismiss the application as defective, without prejudice to refiling.

Section 25.112 of the Commission's rules, 47 C.F.R. § 25.112, requires the Commission to return, as unacceptable for filing, any earth station application that is not substantially complete, contains internal inconsistencies, or does not substantially comply with the Commission's rules. Hispanic's application does not comply with the Commission's rules, which renders it unacceptable and subject to dismissal.

In response to item E21 of Schedule B, Hispanic lists ALSAT-designated satellites as the points of communication for each of its remote locations. Pursuant to Section 25.115(c)(2)(i)(A) of the Commission's rules, 47 C.F.R. § 25.115(c)(2)(i)(A), the lead application for a CSAT system must identify no more than three discrete geostationary satellites to be accessed. Additionally, in response to items E43 and E44 of Schedule B, Hispanic lists the frequency bands as 3700-3702 MHz (Receive) and 5895-5926 MHz (Transmit) for each of its remote locations. Pursuant to Section 25.115(c)(2)(i)(B) of the Commission's rules, 47 C.F.R. § 25.115(c)(2)(i)(B), the lead application for a CSAT system must identify the amount of frequency bandwidth sought, up to a maximum of 20 megahertz of spectrum in each direction for each satellite. The bandwidth requested in response to items E43 and E44 of Schedule B exceed this limitation.

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<sup>1</sup> C-band small aperture terminal network.

Accordingly, pursuant to Section 25.112(a) (1) of the Commission's rules, 47 C.F.R. §25.112(a)(1), and Section 0.261 of the Commission's rules on delegations of authority, 47 C.F.R. §0.261, we dismiss Hispanic's application without prejudice to refiling.<sup>2</sup> In other words, Hispanic is free to revise its application to request authority to communicate with no more than three satellites in no more than 20 megahertz of spectrum for each satellite.

Sincerely,

Scott A. Kotler  
Chief, Systems Analysis Branch  
Satellite Division  
International Bureau

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<sup>2</sup> If Hispanic refiles an application in which the deficiencies identified in this letter have been corrected but otherwise identical to the one dismissed, it need not pay an application fee. *See* 47 C.F.R. § 1.1109(d).